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**FROMMER LAWRENCE & HAUG LLP**

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**FACSIMILE COVER LETTER**

**To:** Central Fax Center  
**Firm:** U.S. Patent and Trademark Office  
**Facsimile No.:** 571-273-8300  
**From:** William S. Frommer  
**Date:** December 16, 2005  
**Re:** Serial No. 10/764,735  
Attorney Docket 450100-04891  
**No. of Pages:** 7  
(including cover page)

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00308561

PATENT  
450100-04891IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : TODA et al.  
 Serial No. : 10/764,735  
 Filing Date : 26 January 2004  
 For : FINE PARTICLE STRUCTURE AND OPTICAL MEDIUM  
 Examiner : Leszek B. Killman  
 Art Unit : 1772

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745 Fifth Avenue  
 New York, NY 10151  
 Tel: 212-588-0800

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- No additional fee is required.  
 The fee has been calculated as shown below.  
 This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

## Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	13	Minus	** = 22	*0x	\$50 (25)	=50
Independent claims	3	Minus	*** = 3	*0x	\$200 (100)	=50
Total additional fee for this amendment						\$0

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.

\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- This application contains a multiple dependent claim. The required fee of \$360(180) has been previously paid , or is paid herewith .
- This response is being filed within the \_\_\_ month following the expiration of the term originally set therefore. This is a petition to request a \_\_\_ month extension of time. A check covering the cost of the petition is enclosed.
- A check in the amount of \$ \_\_\_ is attached, which covers the cost of  additional claims  petition for extension of time.
- Charge \$ \_\_\_ to Deposit Account No. 50-0320.
- Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

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I hereby certify that paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below

*Barrett Shandell*  
 Type or print name of  
 Person signing application  
*Barrett Shandell*  
 Signature

December 16, 2005

Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
 Attorneys for Applicants

By:

*William S. Frommer*  
 William S. Frommer  
 Reg. No. 25,205  
 Tel: 212-588-0800

00331988

Confirm. No. 8643  
450100-04891IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : TODA et al.  
 Serial No. : 10/764,735  
 Filing Date : 26 January 2004  
 For Examiner : FINE PARTICLE STRUCTURE AND OPTICAL MEDIUM  
 Leszek B. Kiliman  
 Art Unit : 1772

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Barnet ShindmanType or print name of  
person signing certificationBarry Shindman

Signature

December 16, 2005

Date of Signature

**EXPEDITED PROCEDURE**  
**RESPONSE AFTER FINAL ACTION**  
**UNDER 37 C.F.R. 1.116****AMENDMENT UNDER 37 CFR § 1.116**  
**AND REQUEST FOR INTERVIEW**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the October 19, 2005 Office Action, setting a three month term for reply.